



**Michigan Department of Energy, Labor & Economic Growth
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909
(517) 241-9302**

Bureau of Construction Codes Technical Bulletin

Publication Number 4

Updated: January 14, 2009

Installation of Boilers in Residential Buildings

“Providing for Michigan’s Safety in the Built Environment”

Technical bulletins are issued to provide clarification on issues that arise regarding code administration and enforcement. The information provided in the bulletin is developed to promote uniform interpretation and enforcement of the state codes.

DELEG is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

INSTALLATION OF BOILERS IN RESIDENTIAL BUILDINGS

Issue

There has been considerable confusion since the boiler law was amended on June 11, 2008 concerning the licensing and permitting requirements for the installation and repair of boilers in residences. The intent of this paper is to clarify those requirements.

Discussion

To provide a basis for this discussion, it is necessary to define several terms used in the industry and the boiler law and rules when referring to boiler installations and repairs. Licensing and permitting requirements and definitions are excerpted from 1965 PA 290, the Michigan Boiler Law and Rules.

408.752 Definitions.

Sec. 2.

As used in this act:

(a) **“Boiler”** means a closed vessel in which water is heated, steam is generated, steam is superheated, or a combination thereof, under pressure or vacuum by the application of heat from combustible fuels, electricity, or nuclear energy. Boiler does not include facilities of an integral part of a continuous processing unit but does include a fired unit for heating or vaporizing liquids other than water, if the unit is separate from a processing system and is complete within itself.

This definition encompasses a broad range of appliances commonly found in use for residential applications such as potable water heaters or hot water heating systems. The definition is without regard to size or input. Based on this definition all boilers in the State of Michigan are under the jurisdiction of 1965 PA 290.

408.757 Exemptions.

Sec 7.

This act shall not apply to:

(d) Steam or vapor boilers carrying a pressure of not more than 15 p.s.i.g., which are located in a private residence or in an apartment building with a capacity of less than 6 families.

(e) Hot water boilers operated at a pressure not exceeding 160 p.s.i.g. or a temperature not exceeding 250 degrees Fahrenheit that are located in a private residence or in an apartment building with a capacity of less than 6 families.

408.763 Installation or repair of boiler; license required; examination; issuance; fee; renewal; exemption.

Sec. 13.

(1) Except as otherwise provided in this act, a person shall not engage in the business of installing boilers or repairing boilers, or both, unless the person has obtained a license under this act from the director.

(2) A person licensed under the Forbes mechanical contractors act, 1984 PA 192, MCL 338.971 to 338.988, in the classification of hydronic heating and cooling and process piping may install, repair, alter, and remove a boiler installed in a residence exempt from this act under section 7 without obtaining a license under this act.

These referenced sections provide an exemption from the act for certain private residence and apartment buildings. Prior to June 11, 2008, exempt residential locations required boiler installations and repairs to be conducted by individuals licensed under the boiler law. As a result of the change to the boiler act effective on June 11, 2008, people who install boilers in exempt locations must be licensed in accordance with the Forbes Mechanical Contractors Act, and a boiler license in accordance with 1965 PA 290 is no longer required. Issuance of permits will be regulated by the responsible enforcement jurisdiction for the location of the boiler.

Also, based on Attorney General Opinion No. 6939, issued 1997, condominium buildings are treated the same as apartments.

R 408.4012 Definitions.

“Water heater” means a heater for use in commercial or industrial sizes providing corrosion resistance for supplying potable hot water at pressures not exceeding 160 psi or temperatures not exceeding 210 degrees Fahrenheit. A water heater that does not exceed any of the following is exempt from these rules:

- (a) A heat input of more than 200,000 BTU per hour.
- (b) A water temperature of more than 210 degrees Fahrenheit
- (c) A nominal water-containing capacity of more than 120 gallons.

This definition exempts water heaters in non-exempt locations that do not exceed the parameters stated regardless of use.

Conclusion

Owners, contractors and inspectors are advised that installation and repair of boilers in exempt locations must be in compliance with, Section 338.984 of 1984 PA 192, the Forbes Mechanical Contractors Act. Local or state mechanical or plumbing enforcing agencies handle permits and inspections for boiler work at locations exempt from 1965 PA 290.

Questions regarding this technical bulletin may be directed to the Michigan Department of Energy, Labor & Economic Growth, Bureau of Construction Codes, Boiler Division, P. O. Box 30254, Lansing MI 48909 or by calling (517) 241-9334, or Mechanical Division at (517) 241 9325.